

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF TENNESSEE

United States of America

v.

Allen Youna

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)

Case No. 3:02-cr-078-TAV-DCP-4

USM No. \_\_\_\_\_

Date of Previous Judgment: 05/15/2006

Defendant's Attorney: Jonathan A. Moffatt

**ORDER FOR SENTENCE REDUCTION PURSUANT TO SECTION 404  
OF THE FIRST STEP ACT OF 2018**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the attorney for the Government ☐ the Court for a reduction in the term of imprisonment based on a statutory penalty range that has been subsequently lowered and made retroactive by Section 404 of First Step Act of 2018 (Public Law 115-391, 132 Stat. 5194, 5222), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED.

☒ GRANTED and the defendant's previously imposed sentence (*as reflected in the last judgment issued*) of 420 months **is reduced to time served**, reflecting a reduction under the First Step Act.

Except as provided above, all provisions of the judgment dated 02/28/2005 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: November 20, 2020

s/ Thomas A. Varlan

*Judge's Signature*

This Order shall take effect **WITHIN FIVE (5) DAYS** from its entry to give the Bureau of Prisons adequate time to process the defendant's release.

Effective Date: \_\_\_\_\_  
(if different from order date)

Thomas A. Varlan, U.S. District Judge

*Printed name and title*

**I. COURT DETERMINATION OF SENTENCING PURSUANT TO FIRST STEP ACT OF 2018:**

Defendant convicted of offenses involving more than fifty (50) grams of cocaine base.

Previous sentencing range: Ten (10) years to life imprisonment as to Count One, plus 60 months as to Count Two, to run consecutively. Maximum of Ten (10) years as to Count Seven.

Sentencing range under Fair Sentencing Act: Five (5) years to forty (40) years as to Count One, plus 60 months as to Count Two, to run consecutively. Maximum of Ten (10) years as to Count Seven.

**II. CONDITIONS OF SUPERVISED RELEASE:**

- ☒ Conditions of supervised release set forth in judgment are to remain in effect.
- ☐ Conditions of supervised release set forth in judgment are to remain in effect, with the following modifications:

**III. FACTORS CONSIDERED:**

The Court considered the following in exercising its discretion to modify the term of imprisonment:

The entire record of the case, including defendant's conduct in the BOP, as well as the continued need to afford general and specific deterrence, provide just punishment, and protect the public, and defendant's prior criminal history and personal characteristics. The Court's accompanying memorandum order and opinion elaborates on its analysis.